

## COASTAL CONSERVANCY

Staff Recommendation

May 18, 2005

### GUALALA ACCESS TRAILS

File No. 05-014

Project Manager: Michael Bowen

**RECOMMENDED ACTION:** Authorization to disburse up to \$100,000 to the Redwood Coast Land Conservancy to construct the Bourn's Landing/Bonham Beach and St. Orres Creek Trail Projects in Gualala, California.

**LOCATION:** West of Highway 1, north of the town of Gualala, Mendocino County (Exhibit 1)

**PROGRAM CATEGORY:** Public Access

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#### **EXHIBITS**

Exhibit 1: Project Location and Maps

Exhibit 2: Letters of Support

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#### **RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400 to 31409 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to the Redwood Coast Land Conservancy (RCLC) to construct the Bourn's Landing/Bonham Beach and St. Orres Creek Trail Projects in Gualala, California on easements held by the RCLC west of Highway 1 and north of the Gualala River, in the town of Gualala, Mendocino County, subject to the condition that the project shall not commence and no funds shall be disbursed for the project until:

1. The Executive Officer has reviewed and approved in writing:
  - a. A project work program, budget, and timeline.
  - b. The names of any contractors RCLC will retain to carry out all or part of the project.

## *GUALALA ACCESS TRAIL*

- c. A signing plan that acknowledges Conservancy funding.
  - d. Documentation that RCLC has obtained all permits and approvals required for the project under federal, state and local law.
2. RCLC has entered into and recorded an agreement pursuant to Public Resources Code Section 31116(c) to protect the public interest in improvements funded under this grant.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed trail projects are consistent with the purposes and criteria set forth in Chapter 9 of Division 21 (Sections 31400-31409) of the Public Resources Code.
2. The proposed trail projects are consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Redwood Coast Land Conservancy is a private nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

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### **PROJECT SUMMARY:**

Staff recommends that the Conservancy authorize disbursement of up to \$100,000 to the Redwood Coast Land Conservancy (RCLC) to construct the Bourn’s Landing/Bonham Beach and St. Orres Creek trail projects in Gualala, California on easements held by the RCLC.

The RCLC has been involved in public access projects in and around the town of Gualala for many years. In 2004 RCLC completed the Gualala Blufftop Phase I Trail and has been one of the Northcoast’s most effective and efficient local entities at accepting and opening public access easements.

Under the current project, RCLC has proposed to develop coastal accessways on four easements created by RCLC’s acceptance of offers to dedicate in 2002 and 2003. Three of the accessways are in the Bourne’s Landing/Bonham Beach area and consist of two vertical easements, providing access from the public road to a viewpoint and from the public road to the beach and ocean at a location known as Cook’s Beach, and a lateral easement providing access along a segment of the beach. The fourth accessway is located at St. Orres Creek and provides vertical access from the public highway to the beach and ocean at the mouth of the creek. In its management plans for each of these easements, the RCLC has stated its intention to develop trails that will permanently protect and permit public access along these easements.

The Management Plan for the Bourne’s Landing/Bonham Beach site, dated June 11, 2003, specifically calls for RCLC to improve and maintain two trails within the ten-foot wide vertical easement areas. One vertical easement runs from the public road approximately 75-feet to a blufftop viewing platform area of about 20’ by 26’. The other vertical

## *GUALALA ACCESS TRAIL*

easement runs from the same point on the public road approximately 416' to Cook's Beach. The development of the vertical accessways will consist of rehabilitation of existing trails through minor grading and placement of base rock. In addition, the vertical easement to Cook's beach will be developed by the installation of cable steps from the top of the bluff to the beach. The vertical easement to the beach will provide connection to the lateral access easement along the beach, which includes about 900' of wide sandy beach between the toe of the bluff and the ocean mean high tide line.

The St. Orres Creek Ocean Access project seeks to provide safe public access to the beach, correct existing erosion, and mitigate future trail impacts. The existing informal trail and steep first section are to be abandoned due to hazardous highway conditions, as well as other unsafe features. With CalTrans approval, access to the trail will be provided from an existing paved parking area immediately to the south. From there, a new trail section is to be built through CalTrans property, running generally parallel to and below the highway, north to the point where it meets the existing rough trail. From that point, RCLC will rehabilitate the existing trail bed down to the beach area. Where the trail drops precipitously about 15-feet to the beach level, a cable step ramp set over beach materials will be built parallel to the cliff face.

It is anticipated that construction will begin in June, 2005. Completion of this project will be the final step needed to open the easements to the public and to add segments to the California Coastal Trail. Per the RCLC's management plan, trail maintenance will be carried out by a volunteer committee.

**Site Description:** The access easement at Bourn's Landing is ten-feet wide, and is located on a scenic bluff overlooking the rugged coast north of Gualala. The easement at St. Orres Creek comprises approximately 1/3 acre of the Erickson parcel, and is located roadside at a steep embankment that drops down to a small, scenic pocket beach north of Gualala. See Exhibit 1.

**Project History:** The Coastal Commission required as a precondition of a lot-split proposal that the Bonham Investment Company provide adequate public access through the Bourn's Landing parcel. At approximately the same time as the lot split application was made, RCLC explored with the owner of the Erickson parcel the possibility of establishing and improving public access via a trail and ladder system, to the beach at the confluence of St. Orres Creek and the Pacific Ocean.

At its December 2000 public meeting, the Gualala Management Advisory Committee ("GMAC"), which serves as a local government entity for the community of Gualala, entertained proposals for both public access projects, and approved the proposed projects as submitted. Consequently, RCLC accepted a total of four offers to dedicate public access easements—three vertical and one lateral—for Bourn's Landing/Bonham Beach and St. Orres Creek on July 1, 2003 and July 3, 2002, respectively. Shortly thereafter, RCLC prepared plans and filed a coastal development permit application for the Bourn's Landing/Bonham Beach on May 3, 2004. That application awaits final approval. RCLC also prepared a plan for the St. Orres Creek accessway and submitted a coastal development permit application on April 29, 2005. RCLC has developed cost estimates for both projects, and submitted them to Conservancy staff February 14, 2005. The public access facilities are now ready to be implemented.

## GUALALA ACCESS TRAIL

### PROJECT FINANCING:

Coastal Conservancy	\$100,000
RCLC donations and in-kind services and materials	<u>10,000</u>
<b>Total Project Cost:</b>	<b>\$110,000</b>

Conservancy funding is expected to come from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 (Proposition 40) bond funds, which, under Public Resources Code Section 5096.650(b), may be allocated for development, restoration, and protection of land and water resources in accordance with the Conservancy's enabling legislation. The proposed trail project serves to develop coastal land resources and, as discussed in detail below, is consistent with the Conservancy's enabling legislation, specifically Chapter 9 of Division 21 of the Public Resources Code. Proposition 40 also requires the Conservancy to give priority to grant projects with matching funds (Public Resources Code Section 5096.651). The proposed project is supported by a commitment by RCLC to provide a match in the form of volunteer labor and donations of in-kind services and materials equivalent to almost 10 percent of the total project cost.

### CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project would be undertaken pursuant to Chapter 9 of Division 21 (Sections 31400 *et seq.*) of the Public Resources Code. Section 31400 states the Legislature's intent that the Conservancy have a principal role in the implementation of a system of public accessways to and along the state's coastline. To carry out that role, under Sections 31400.1 and 31400.3, the Conservancy is authorized to provide grants to a nonprofit organization to develop lands and to provide such assistance as is required to aid nonprofit organizations in establishing a system of public coastal accessways on the coast. Consistent with this authorization, the proposed project will complete development and construction of three vertical accessways to the coast and one lateral accessway along the coast. RCLC, which will carry out the proposed projects, is a private nonprofit organization existing under §501(c)(3) of the U.S. Internal Revenue Code, having among its principal charitable purposes the preservation of land for recreational, educational, agricultural, scenic and open space opportunities..

The Bourn's Landing/Bonham Beach and St. Orres Creek trail projects will provide important vertical access to the coast adjacent to the California Coastal Trail, enabling users to walk the coastline west of Highway 1. Hence, the proposed project is also consistent with §31408(a), which directs the Conservancy to coordinate the development of the California Coastal Trail.

The California Coastal Commission and Conservancy have adopted standards and recommendations for accessway location and development to ensure a consistent approach is used for access construction. Staff has reviewed the proposed project descriptions and found them to be in conformance with the accessway standards and recommendations as follows:

## *GUALALA ACCESS TRAIL*

- The Bourn's Landing/Bonham Beach and St. Orres Creek trail projects are designed to safely accommodate public use, and are therefore consistent with Standard 1.
- The St. Orres Creek trail project will correct the existing hazardous accessway, and is therefore consistent with Standard 2.
- The Bourn's Landing/Bonham Beach and St. Orres Creek trail projects will be constructed no wider than is necessary to provide safe access, therefore the proposed projects are consistent with Standard 3.
- The absence of adjacent homes ensures that the Bourn's Landing/Bonham Beach and St. Orres Creek trail projects are consistent with Standard 4, which provides for the design to protect the privacy of property owners residing near the trail.
- The projects have been sited to avoid or minimize impacts to any environmentally sensitive habitat areas. Therefore, the projects are consistent with Standard 5.
- The Bourn's Landing/Bonham Beach and St. Orres Creek trail projects will be constructed, where possible, to comply with the guidelines for lateral and vertical accessways, trails, and scenic overlooks expressed in standards 6 through 9. Therefore, the proposed projects are consistent with standards 6 through 9.

### **CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 1 Objective C** and **Goal 2 Objective C**, the proposed project consists of establishing an approximately 83.5-foot trail to a bluff overlook at Bourn's Landing, including an approximately 385-foot trail to adjacent Bonham Beach, and an approximately 183-foot vertical accessway to St. Orres Creek beach from Highway One, thereby completing the development and opening of four easements created by the acceptance of two offers-to-dedicate. The trails will provide one scenic overlook, and two beach accessways, becoming an off-highway link in the California Coastal Trail.

### **CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

#### **Required Criteria**

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.

## *GUALALA ACCESS TRAIL*

3. **Support of the public:** See letters of support, attached as Exhibit 2.
4. **Location:** The proposed projects are located within the coastal zone of the town of Gualala.
5. **Need:** The RCLC is an all-volunteer nonprofit organization that has committed to the task of accepting and opening the aforementioned offers-to-dedicate. Conservancy assistance is now needed to enable the RCLC to develop and open the trails.
6. **Greater-than-local interest:** The Mendocino coast is a statewide and national scenic and recreational destination. State Highway 1 is the closest public road to the trail, and has traffic counts of approximately 6,000 vehicles per day in the summer. In addition, RCLC monitors use of the nearby Gualala Blufftop Trail, also funded by the Conservancy, on a weekly basis, and reports usage of more than 20,000 people per year.

### **Additional Criteria**

12. **Readiness:** Having accepted both offers-to-dedicate, RCLC is now poised to implement the trail development phase of the project.
13. **Realization of prior Conservancy goals:** The Conservancy has partnered with RCLC on many coastal access endeavors, including the Gualala Blufftop Trail project and the Hearn Gulch and Schwab property acquisitions, since 1994. Completion of this project will further the Conservancy's goal of seeing accessways created by acceptance of offers to dedicate opened to the public, build upon the Conservancy's efforts in developing and opening additional accessways, and further the development of an off-highway route for the California Coastal Trail.

### **CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The proposed project is consistent with the relevant portions of the Coastal Element of the Mendocino County Land Use Plan, which is part of the Local Coastal Program (LCP). The LCP was certified by the Coastal Commission on September 10, 1992.

The Land Use Plan contains coastal element policies pertaining to shoreline access. Policy number 3.6-6 states in relevant part that "Shoreline access points shall be at frequent rather than infrequent intervals for the convenience of both residents and visitors and to minimize impacts on marine resources at any one point."

Moreover, the Bourn's Landing site is specifically identified as a priority location for a blufftop trail and shoreline access for that area, as delineated on the land use plan map consistent with policy 3.6-5 (LCP p. 205).

The proposed project will complete a public pedestrian access trail over the accepted access easements in Gualala, directly overlooking the Pacific Ocean. The proposed project is thus consistent with the relevant policies contained in the Mendocino County LCP.

### **COMPLIANCE WITH CEQA:**

The proposed trail project at Bourn's Landing/Bonham Beach is categorically exempt from the California Environmental Quality Act (CEQA) for the following reasons:

## *GUALALA ACCESS TRAIL*

The proposed project qualifies as a Class 4 categorical exemption pursuant to 14 Cal. Code of Regulations Section 15304 to the extent that it consists of minor alterations in the condition of land and vegetation which do not involve removal of healthy, mature, scenic trees. Aspects of the project exempt under this section include: rehabilitation of an existing entrenched ten foot-wide trail to the viewing platform and rehabilitation of the existing trail to the bluff top, both by means of minor grading and addition of base rock. The proposed project will require only very minor grading on areas less than a 10% slope and not in designated scenic areas; heavy equipment use will be minimal.

The proposed project also qualifies as a Class 3 categorical exemption pursuant to §15303 to the extent that it consists of construction of limited numbers of new, small structures, , specifically;; construction of a small, baserock viewing platform;; and installation of cable steps from the bluff to Bonham Beach.

The proposed trail project at St. Orres Creek is categorically exempt from the California Environmental Quality Act (CEQA) for the following reasons:

The proposed project qualifies as a Class 4 categorical exemption pursuant to 14 Cal. Code of Regulations Section 15304 to the extent that it consists of minor private alterations in the condition of land and vegetation which do not involve removal of healthy, mature, scenic trees. Aspects of the project exempt under this section include brush clearing along a narrow trail corridor, and placement of beach driftwood to create the foundation for the base of the step ladder.

The proposed project also qualifies as a Class 3 categorical exemption pursuant to §15303 to the extent that it consists of construction of limited numbers of new, small structures, specifically a series of wooden stairs, landings, and trail portions surfaced with baserock, and a cable ramp. The proposed project is located primarily in a narrow stream canyon, but will be sited so as to avoid ecologically sensitive habitat areas, notably the riparian zone near the creek, and will not require any grading or heavy equipment use. Staff will file a Notice of Exemption upon Conservancy approval of this project.